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April 7, 2021

Hon. Richard J. Sullivan
United States District Court
40 Foley Square
New York, N.Y. 10007
via ECF

Re: United States v. Tyrell Sumpter,
18 Cr. 373 (RJS)

Your Honor,

I write to request an adjournment of Tyrell Sumpter's sentencing, currently scheduled for April 23, 2021, due to the covid-19 pandemic. I will need to meet with Mr. Sumpter in person several times to prepare for his sentencing. However, the pandemic continues to prevent me from doing so, interfering with my ability to adequately represent him.

In a recent conference with Hon. Denise L. Cote, Judge Cote mentioned that BOP expects to vaccinate inmates by May. However, only a very small number of MDC inmates have been vaccinated thus far and Mr. Sumpter has not yet been able to get the vaccine. (Exhibit A, 196 vaccinated out of approximately 1,200 inmates)

Mr. Sumpter prefers to be sentenced in person and several family members and friends wish to attend. As the Court is surely aware, the virus is spiking badly in New York City, which the New York Times reports is at "extremely high risk of exposure to covid 19". (Exhibit B, portion of N.Y.T. Article). The current MDC protocols require that inmates coming to court must quarantine for three to five days before the court appearance and then quarantine for two weeks post court. As it is not possible to know when it will be safe to begin visiting Mr. Sumpter in jail or when it will be possible to safely conduct in person sentences I request an adjournment to a date in July, 2021.

The government, by Matthew Hellman, Esq., consents to this application. Therefore, I request an adjournment of Mr. Sumpter's sentence to a date in July, 2021.

Respectfully,

Lisa Scolari

Lisa Scolari

SO ORDERED:


HON. RICHARD J. SULLIVAN

Defense counsel's motion is granted. IT IS
HEREBY ORDERED THAT Defendant's sentencing,
which was scheduled for April 23, 2021, will
instead take place on July 7, 2021 at 10:00
a.m. in Courtroom 15A at the Daniel Patrick
Moynihan Courthouse, 500 Pearl Street, New
York, New York 10007. Defendant shall file
his sentencing submission by June 23, 2021.
The government shall file its sentencing
submission by June 30, 2021.

SO ORDERED.

Dated: 4/12/2021

New York, New York


Richard J. Sullivan
United States Circuit Judge
Sitting by Designation